

# Department of Labor Overview

**Joint Appropriations  
Subcommittee on  
Natural and Economic  
Resources**

March 6, 2013



**FISCAL RESEARCH DIVISION**  
A Staff Agency of the North Carolina General Assembly

# Today's Agenda

## Department of Labor (DOL) Division Overviews

- Mission/ Programs
- Budget Information
- FY 2011-13 General Assembly Actions



## **Mission**

To promote the "health, safety and general well-being" of North Carolina's workers.

## **Statutory Reference**

G.S. 95

## **Divisions**

- Administration
- Standards and Inspections
- Occupational Safety and Health

# DOL Basics

- 406.25 FTE
- FY 2012-13 Authorized Budget:  
\$33.9 million
- What they do:
  - Mining safety
  - Elevator and amusement ride inspections
  - Employment discrimination investigations
  - Wage and hour investigations
  - Migrant housing regulation and inspection
  - Occupational safety & health inspections
  - Apprenticeship program



## **FY 2011-12 Budget Highlights**

### Expenditures:

\$31.9 m

### Receipts:

\$17.8 m

### Appropriation:

\$14.1 m

# DOL Divisions & Bureaus

## Administration

- Commissioner's Office
- Administration & Government Affairs
- Legal
- Communications
- Human Resources
- Information Technology
- Research and Policy
- OSH/BLS Statistics

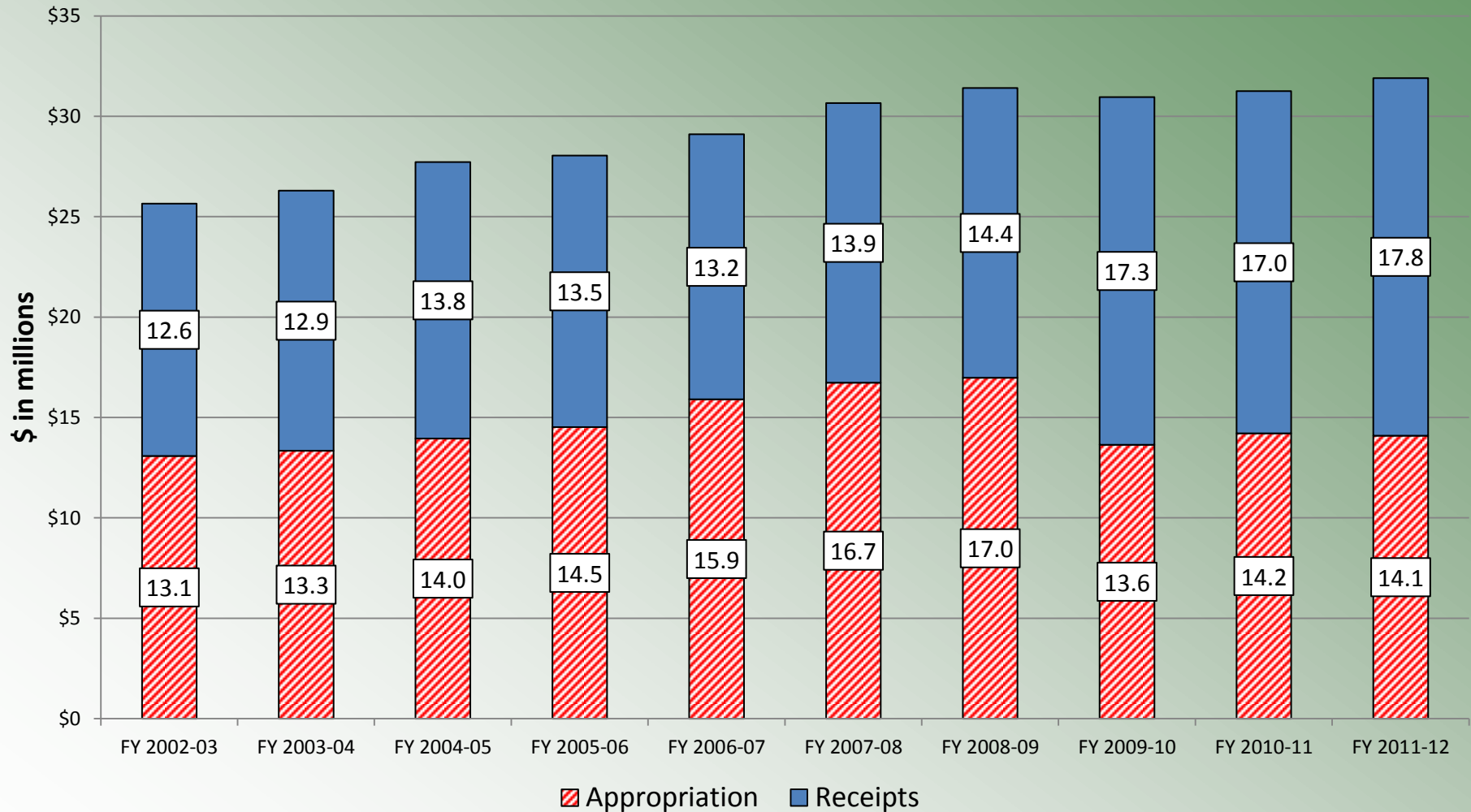
## Standards & Inspections

- Boiler Safety Bureau
- Elevator & Amusement Device Bureau
- Mine & Quarry Bureau
- Wage & Hour Bureau
- Employment Discrimination Bureau
- Apprenticeship & Training Bureau

## Occupational Safety and Health

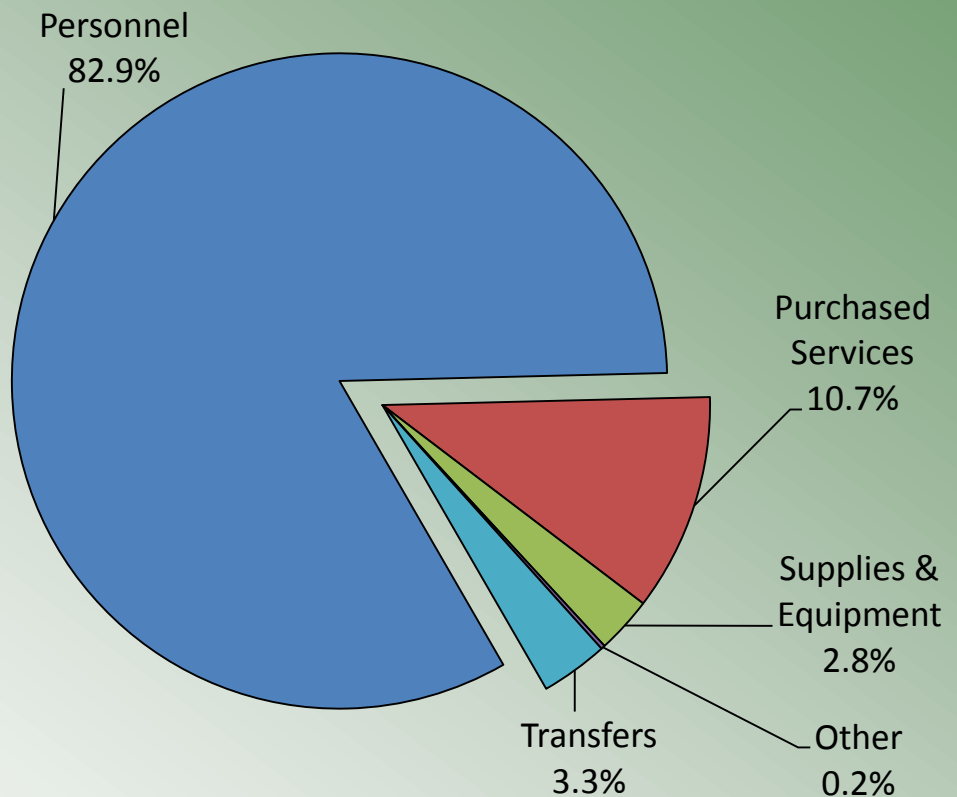
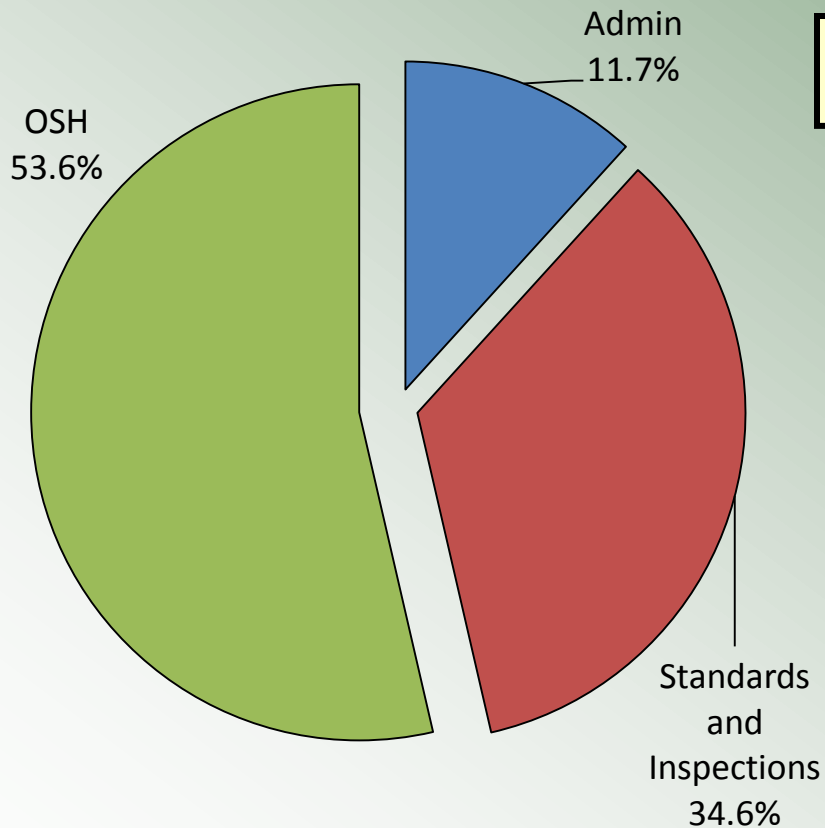
- Agricultural Safety & Health Bureau
- Compliance Bureau
- Consultative Services Bureau
- Education Training & Technical Assistance (ETTA) Bureau
- Planning, Statistics, and Information Management Bureau

# DOL: 10-Year Funding History



# DOL FY 2012-13 Authorized Budget

***Total Expenditures: \$33.9 M***



# DOL Administration

- Commissioner's Office
- Administration & Government
- Public Affairs
- Budget & Management
- Legal
- Communications
- Human Resources
- Information Technology
- Research & Policy
- OSH/BLS Statistics

## **FY 2011-12 Budget Highlights**

### Expenditures:

\$3.8 m

### Receipts:

\$2.5 m

### Appropriation:

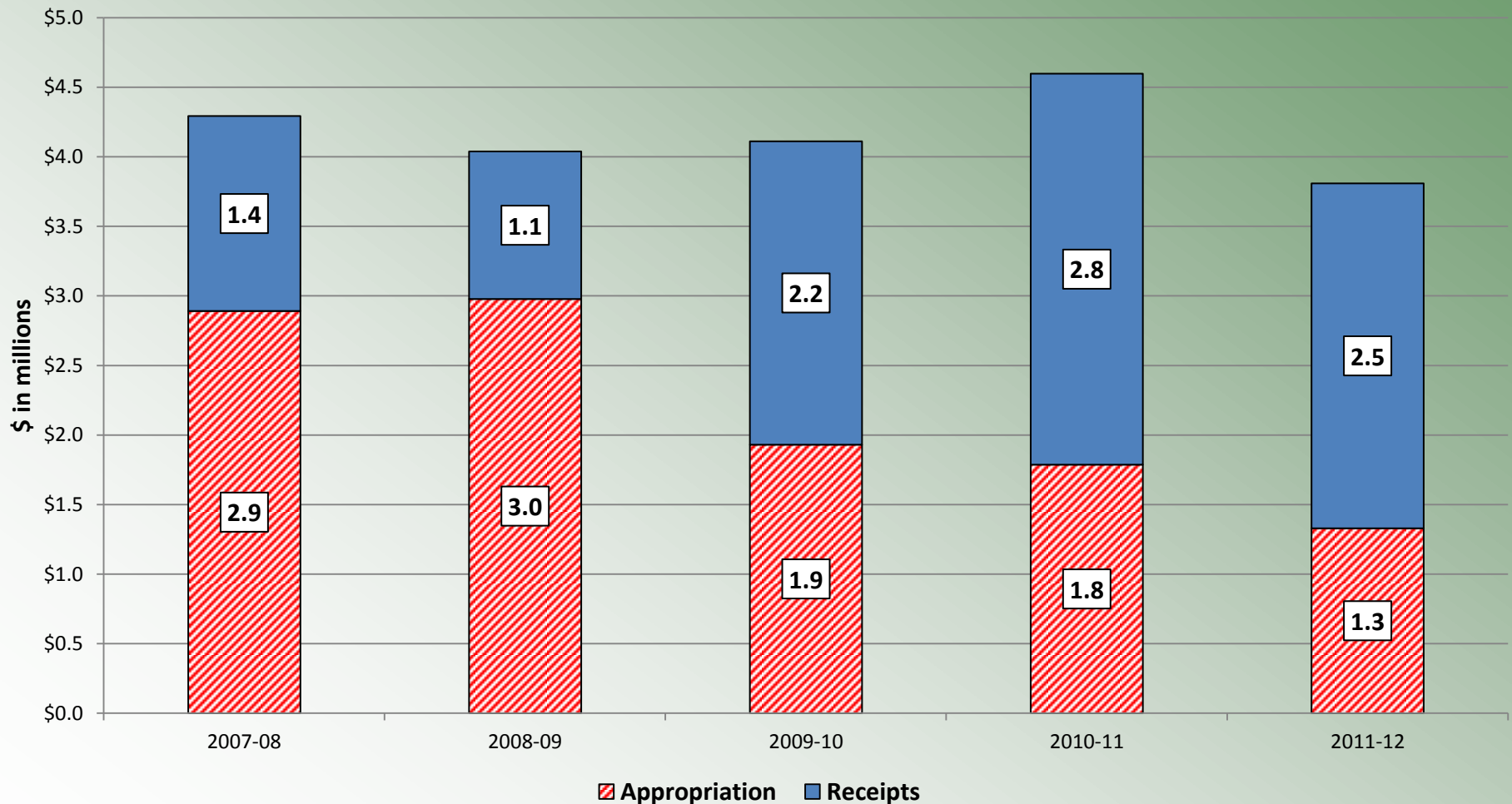
\$1.3 m

### FTEs:

46.3



# Administration Budget History



# Administration

## FY 2011-13 NCGA Actions

- FY 2011-12:
  - Reduced agency-wide cell phone and motor fleet appropriation (\$32,809)
  - Eliminated 1 vacant position (\$48,414)
  - Reduced operating budget (\$81,241)
  - Reduced IT operating budget (\$255,000)
- FY 2012-13:
  - Management flexibility reduction (\$316,738)

# Administration Special Funds

## Individual Development Accounts

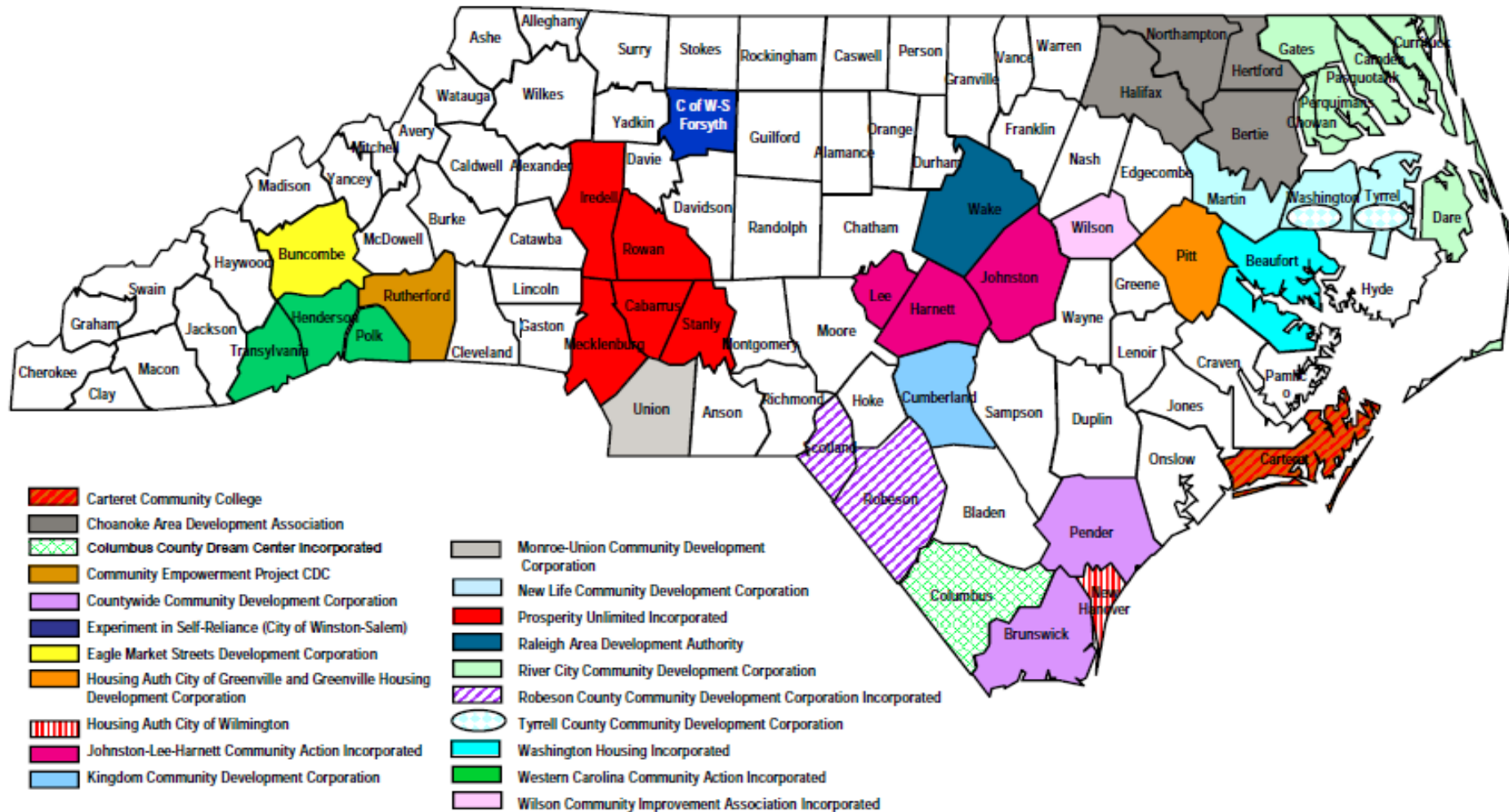
- Savings accounts for low-wealth individuals to pay for:
  - A first home
  - Capitalizing a business
  - Paying for educational/training expenses
- 23 Nonprofit and Community-based Organizations
- Funds provided by US DHHS
- FY 2011-12:
  - Expenditures: \$92,555

# Administration Special Funds

## Process for Establishing IDA

1. Individual works with local organization to begin savings plan
2. Individual saves enough to cover approximately one-half of the cost to buy house, capitalize business, or pay for education/training expenses
3. Payment made directly to “asset provider”

# NC IDA Map





# Standards & Inspections

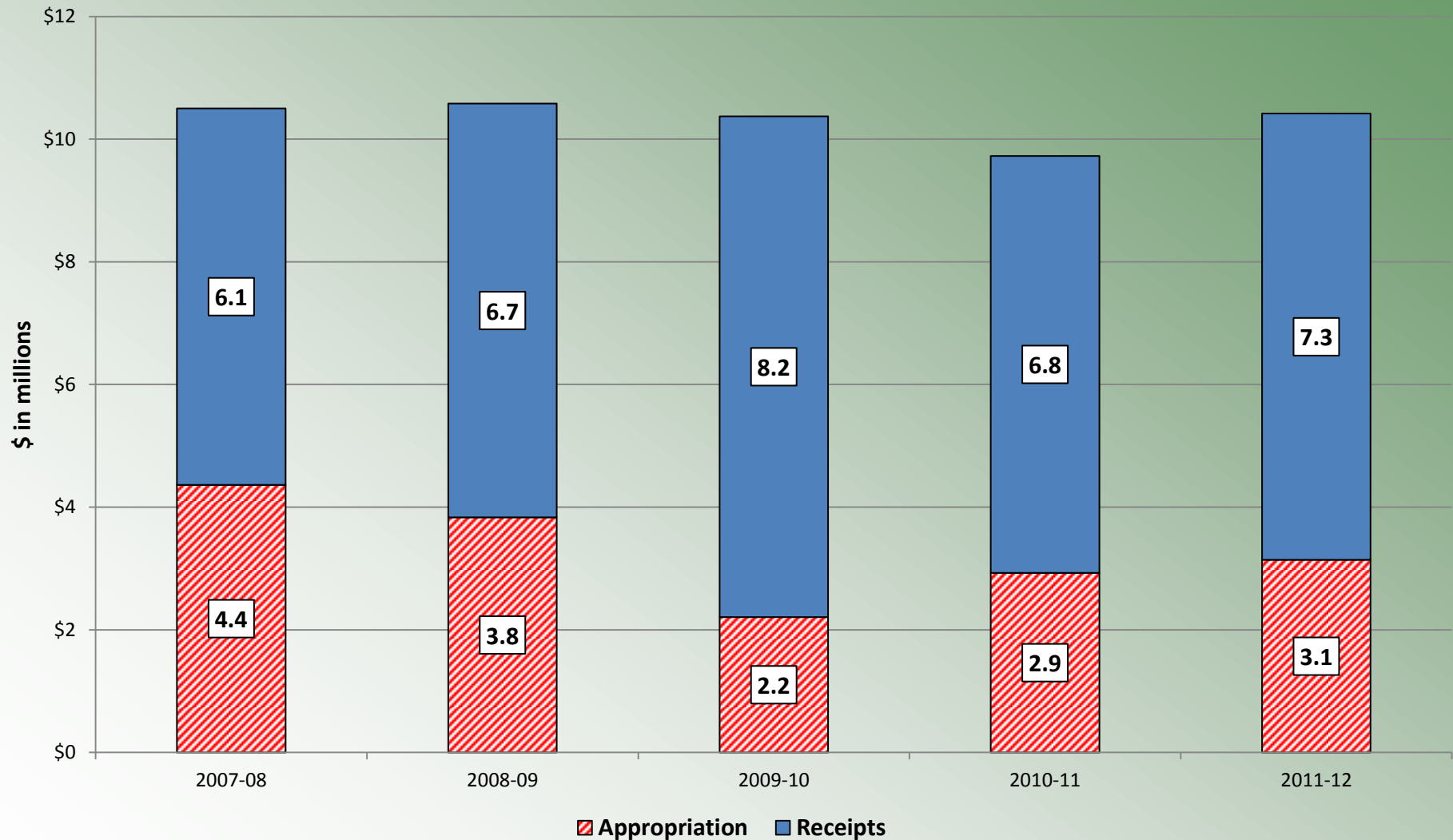


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# Standards & Inspections Bureaus

- Apprenticeship & Training
- Boilers & Pressure Vessels
- Elevator & Amusement Devices
- Employment Discrimination
- Mine & Quarry
- Wage & Hour

# Standards & Inspections Budget History





# **Standards & Inspections**

## **FY 2011-13 Actions**

### **FY 2011-12 NCGA Actions**

- Directed transfer of Workforce Investment Act funds from Commerce for Apprenticeship program (\$350,000)
- Eliminated 2 vacant positions and associated salary reserve (\$165,182)
- Shifted salary and benefits of 5 positions to receipt support (\$343,907)

### **FY 2012-13 NCGA Actions**

- None

# Standards & Inspections: Apprenticeship Bureau

- National Apprenticeship Act of 1937 – USDOL
  - States or Feds can administer
- Develops training programs
  - 1-5 year programs
  - On-the-job and classroom
- Registers apprentices
- Ensures compliance with wage agreements

## **FY 2011-12 Budget Highlights**

### Expenditures:

\$1.5 m

### Receipts:

\$0.7 m

### Appropriation:

\$0.8 m

### FTEs:

19.0

# Standards & Inspections: Boiler Safety Bureau

- Enforces Uniform Boiler & Pressure Vessel Act  
(G.S. 95, Article 7A)
- Inspections include
  - High pressure and low pressure boilers
  - Antique boilers
  - Model/hobby boilers
  - Air storage tanks

## **FY 2011-12 Budget Highlights**

### Expenditures:

\$1.9 m

### Receipts:

\$1.9 m

### Appropriation:

\$0 m

### FTEs:

23.0

# Standards & Inspections: Elevators & Amusement Device Bureau

- **Enforces the Elevator Safety Act**  
(G.S. Chapter 95, Article 14A)
- **Responsible for proper installation and operation of**
  - Elevators
  - Amusement devices
  - Inflatable amusement devices
  - Portable rock walls
  - Escalators
  - Dumbwaiters
  - Moving walkways

## **FY 2011-12 Budget Highlights**

### Expenditures:

\$3.9 m

### Receipts:

\$4.4 m

### Appropriation:

(\$0.5 m)

### FTEs:

46.0

# Standards & Inspections: Elevators & Amusement Device Bureau

## Elevator Inspection Fees

Range: \$65 - \$200

## Amusement Device Inspection Fees

Range: \$31 - \$250



# Standards & Inspections: Employment Discrimination Bureau (EDB)

- Enforces the 1992 Retaliatory Employment Discriminatory Act (REDA) – G.S. 95, Article 21
- REDA protects employees involved in:
  - Worker's compensation
  - Wage and hour
  - Safety and health
  - Genetic testing
  - Sickle Cell/Hemoglobin C
  - National Guard
  - Domestic disputes
  - Juvenile justice system

## FY 2011-12 Budget Highlights

### Expenditures:

\$0.6 m

### Receipts:

\$0 m

### Appropriation:

\$0.6 m

### FTEs:

8.0

# Standards & Inspections: Mine & Quarry Bureau

- Enforces the 1975 Mine Safety & Health Act (G.S. Chapter 74, Article 2A)
- Provide training and evaluation
- Investigates complaints and serious accidents
- USDOL performs regular compliance inspections

## **FY 2011-12 Budget Highlights**

### Expenditures:

\$0.6 m

### Receipts:

\$0.2 m

### Appropriation:

\$0.4 m

### FTEs:

6.0

# Standards & Inspections: Wage & Hour Bureau

- Enforces the Wage & Hour Act (GS 95-25)
  - Minimum wage
  - Overtime
  - Youth employment
  - Record keeping
  - Promised wage provisions
- Enforces the Controlled Substance Examination Regulation Act (GS 95-230 – 235)
- Enforces the Private Personnel & Job Listing Service Act (GS 95-47)
- Can issue citations and penalties

## **FY 2011-12 Budget Highlights**

### Expenditures:

\$1.9 m

### Receipts:

\$0 m

### Appropriation:

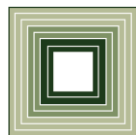
\$1.9 m

### FTEs:

31.0



# Occupational Safety and Health (OSH)

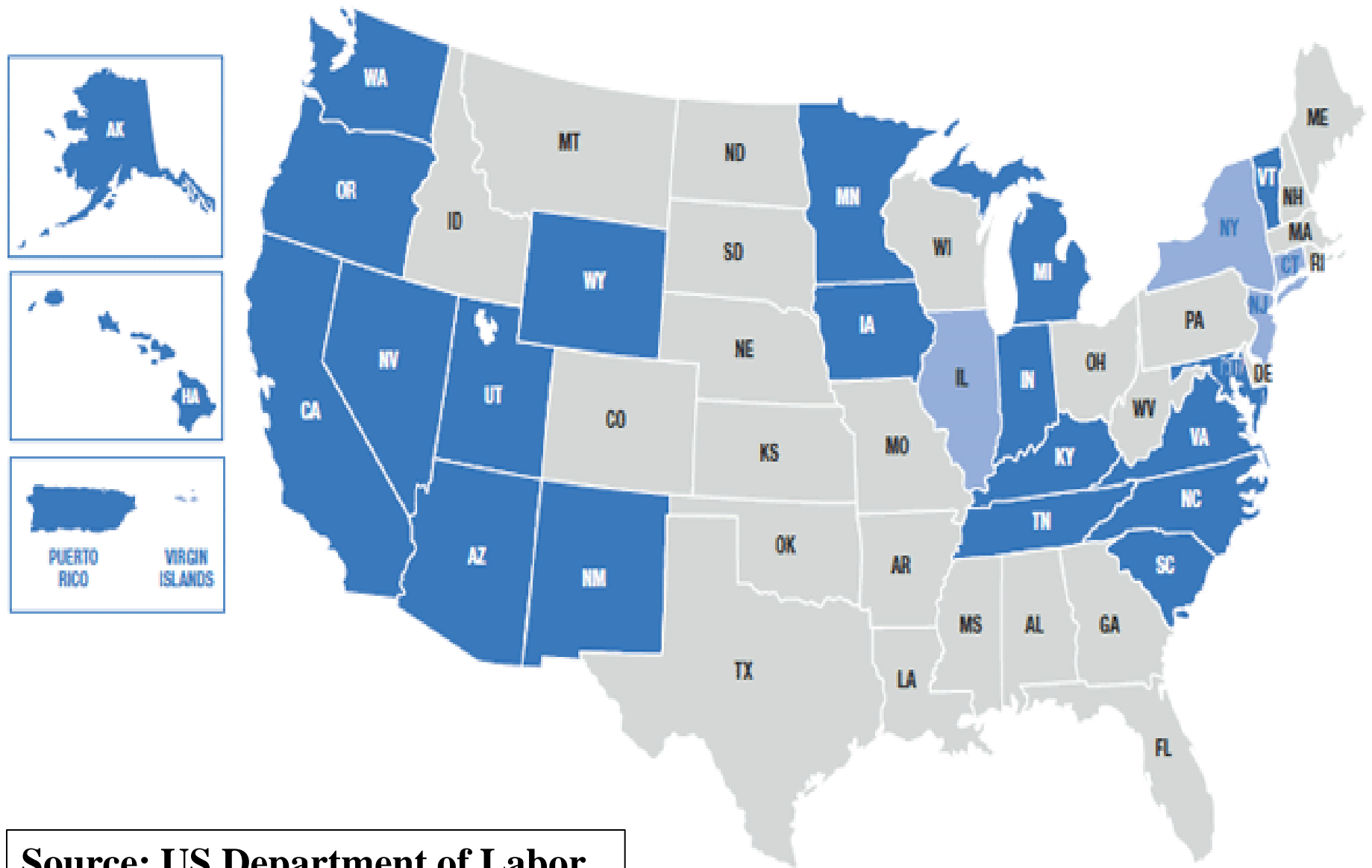


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# NC OSH Program

**Established by General Assembly in 1973  
G.S. 95-126:155**

- **NC is a State Plan State**
  - 1 of 27 states/ territories with own OSH program
  - Receive federal grants
  - Have to be at least as strict as federal requirements
  - Quarterly monitoring meetings with feds
  - “18(e)” status – provides NC with maximum flexibility
- **Covers all employees in NC**
  - **Except:**
    - Federal government employees
    - Maritime employees
    - Railroad employees

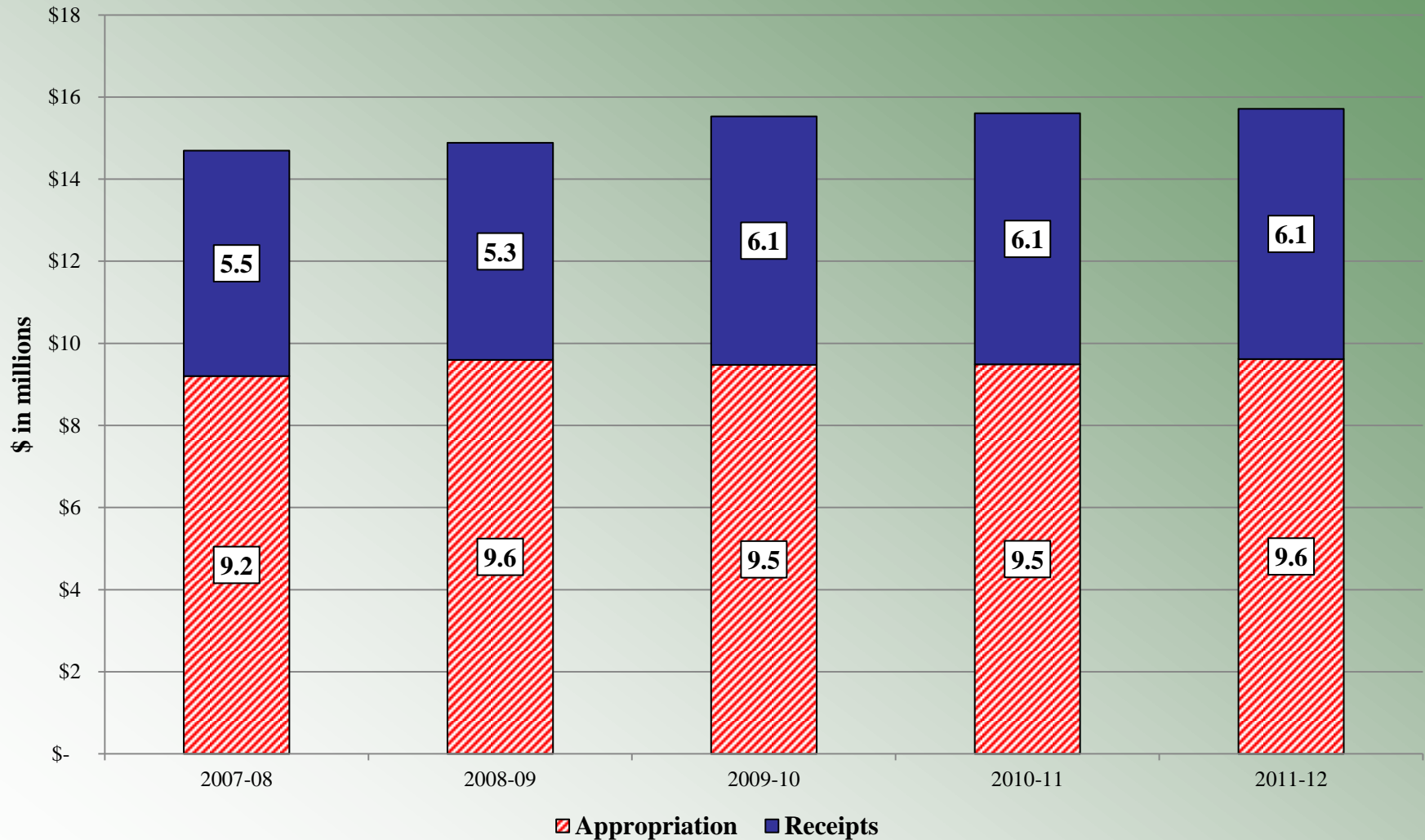


**Source: US Department of Labor**

# OSH Bureaus

- Agriculture Safety and Health
- Planning Statistics & Information Management
- Compliance
- Education Training & Technical Assistance
- Consultative Services
- Review Commission

# OSH Budget History



# OSH Administration

- Provides administrative support for all of the OSH Bureaus
- Includes library, lab, and IT funding
- Maintain educational materials produced for the OSH program



## **FY 2011-12 Budget Highlights**

### Expenditures:

\$3.3 m

### Receipts:

\$1.9 m

### Appropriation:

\$1.4 m

### FTEs:

27.2

# OSH - Agricultural Safety & Health

- Migrant Housing Act of 1989 (G.S. 95: 222-229)
- Annual housing registration, inspection and compliance program
- Inspect all registered migrant housing 45 days prior to occupancy



## **FY 2011-12 Budget Highlights**

### Expenditures:

\$0.6 m

### Receipts:

\$0 m

### Appropriation:

\$0.6 m

### FTEs:

9.0

# OSH

## Planning, Statistics & Information Management (PSIM)

- Construct and maintain the OSH Division Inspection Targeting System
- Conduct 2 injury & illness surveys
  - Public Sector
  - OSHA Data Initiative (ODI) – Private Sector (100% federal funds)
- Archive investigative results
- Maintain statistics

### **FY 2011-12 Budget Highlights**

#### Expenditures:

\$0.4 m

#### Receipts:

\$0.1 m

#### Appropriation:

\$0.3 m

#### FTEs:

7.0



# OSH Compliance

- Perform unannounced compliance visits
  - Ability to enter any workplace (G.S. 95-136)
- Respond to complaints of unsafe working conditions
- Perform investigation of workplace conditions post-fatality
- Provide safety standard interpretations and guidance
- Focus more on high-risk occupations
- Five regional offices

## **FY 2011-12 Budget Highlights**

### Expenditures:

\$7.9 m

### Receipts:

\$2.2 m

### Appropriation:

\$5.7 m

### FTEs:

134.0

# OSH: Consultative Services

- Full-service on-site safety and health surveys
- Technical assistance & safety and health program assessment
- Ergonomics, air sampling, noise measurements

## Free services available to:

- Public Employers
- Private Employers of < 500 employees nationwide

### **FY 2011-12 Budget Highlights**

#### Expenditures:

\$1.7 m

#### Receipts:

\$1.1 m

#### Appropriation:

\$0.5 m

#### FTEs:

27.0

# OSH: Educational Training & Technical Assistance (ETTA)

- Standards
  - Answer calls and emails
  - Produce publications
  - Evaluate all federal changes to OSH laws - rulemaking
- Education & Training - Internal
  - OSH 100 course
  - Legal Affairs course
- Education & Training – External
  - On-the-Job
  - No charge

## **FY 2011-12 Budget Highlights**

### Expenditures:

\$1.6 m

### Receipts:

\$0.7 m

### Appropriation:

\$0.9 m

### FTEs:

29.0

# OSH Review Commission

- Purpose: review and issue decisions on OSH citation appeals
- Three members appointed by the Governor (6-year terms)
- Subject to open meeting and public records laws

## **FY 2011-12 Budget Highlights**

### Expenditures:

\$0.2 m

### Receipts:

\$0.1 m

### Appropriation:

\$0.1 m

### FTEs:

3.0

# Key Takeaways

- Department is heavily receipt supported
- The state pays approximately 60% of the cost to administer the OSH program
- Budget is stable with little fluctuation
- General Fund appropriation (\$14.1M) is smaller than any other NER agency
- Elevator and Amusement Device Bureau generate receipts over actual operating expenses

# Questions

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